

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IN RE:)	
)	
FAIRVUE CLUB PROPERTIES, LLC,)	Case No. 3:09-bk-13807
)	Judge Paine
Debtor,)	Chapter 11
)	

**AMERICAN SECURITY BANK & TRUST'S EXPEDITED MOTION
FOR RELIEF FROM AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362**

Pursuant to Bankruptcy Code § 362(d)(1), and Local Rule 9075-1, American Security Bank & Trust ("ASBT") hereby moves this Court for entry of an expedited order granting it relief from the automatic stay. In support of this Motion, ASBT states as follows:

1. ASBT, a secured creditor in this matter, having a first-priority, properly-perfected lien on the Lakes Course at Fairvue Plantation (the "Property") requests immediate relief from stay in order to initiate proceedings to take possession of the Property.

2. This Court issued a memorandum on November 2, 2010, denying Debtor's motion to confirm its plan of reorganization. That same day, counsel for Debtor informed ASBT that payroll was due the next day, and that Debtor did not have enough money to cover that amount. The next day, unable to make payroll, Debtor shut down its operation. The Property is a golf course with approximately 500 members. With the operation currently shut down, those members do not have access to the golf course. An extended interruption in service to the golf-playing membership will have a significant negative impact upon the value of the Property and its marketability. It is

necessary to shorten the notice period for this Motion to minimize the interruption in services.

3. Notice of this Motion has been served on Debtor's counsel electronically by the Court's electronic case filing system and electronically upon all other the parties consenting to electronic service in this case.

4. ASBT does not believe that a hearing is necessary on this motion as Debtor has ceased operations and ceased attempting to reorganize. Further, ASBT requests that an order be entered setting a deadline for objections to this Motion within 3 days and scheduling a hearing to be held within 5 days of the filing of this Motion or another time convenient to the Court to consider any objections.

WHEREFORE, ASBT respectfully requests that this Court grant it stay relief against Debtor in order to take all action to protect and secure its collateral, including taking possession of the Property.

Respectfully submitted,

/s/ William N. Helou

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ATTORNEYS FOR AMERICAN
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CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the foregoing has been served on the parties consenting to electronic service in this case on this the 8th day of November, 2010.

/s/ William N. Helou
William N. Helou